

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

TECHNICAL LED INTELLECTUAL
PROPERTY, LLC, a Delaware limited
liability company,

Plaintiff,

v.

ANKER INNOVATIONS LIMITED;
ANKER TECHNOLOGY
CORPORATION; AND FANTASIA
TRADING, LLC D/B/A ANKER DIRECT,

Defendants.

CIVIL ACTION NO. _____

**COMPLAINT FOR PATENT
INFRINGEMENT (U.S. PATENT NO.
RE41,685)**

DEMAND FOR JURY TRIAL

COMPLAINT FOR PATENT INFRINGEMENT

This is an action for patent infringement in which Technical LED Intellectual Property, LLC (“Technical LED” or “Plaintiff”) makes the following allegations against Anker Innovations Limited, Anker Technology Corporation, and Fantasia Trading, LLC (collectively “Anker” or “Defendants”) – based upon the investigation made by its attorney and on information and belief as follows:

PARTIES

1. Plaintiff Technical LED is a Delaware limited liability company, with its principal place of business located at 251 Little Falls Dr., Wilmington, DE 19808.

2. Defendant Fantasia Trading LLC d/b/a AnkerDirect is organized and incorporated under the laws of the State of Delaware. Mr. Meng (Steven) Yang is the Chief Executive Officer of Fantasia Trading, LLC. Fantasia Trading LLC is Anker Innovations Limited’s wholly owned subsidiary. Fantasia Trading LLC’s activities are under the control

and direction of its parent Anker Innovations Limited. Fantasia Trading LLC marketed, imported, distributed, warranted and sold the accused eufy led smart lights and bulbs throughout the United States, including Delaware.

3. According to Amazon, “AnkerDirect is the sole authorized seller of authentic Anker products (other than Amazon) on the Amazon platform.” Fantasia uses the trademark that Anker Innovations Limited owns in connection with its Amazon seller profile.

4. Fantasia Trading LLC does business as “AnkerDirect” which is the name connected to the seller profile for the Anker products on Amazon. Fantasia Trading LLC is the Anker distributor in the United States, and it handles financial transactions between Anker and internet customers, including listing itself as the seller of Anker products on such websites as amazon.com.

5. From at least 2011, Defendant Anker Technology Corporation was a corporation organized and incorporated under the laws of the State of Delaware. Mr. Yang was its founder, President and Chief Executive Officer. Anker Technology Corporation is Anker Innovations Limited’s wholly owned subsidiary. Anker Technology Corporation’s activities were under the control and direction of its parent Anker Innovations Limited. Anker Technology Corporation marketed, imported, distributed, warranted and sold the accused products throughout the United States, including Delaware.

6. Defendant Anker Innovations Limited is organized under the laws of Hong Kong having a principal place of business at Room 1318-19, Hollywood Plaza, 610 Nathan Road, Mongkok, Kowloon, Hong Kong SAR, People’s Republic of China. Mr. Yang is the founder of Anker Innovations Limited and is the company’s Director. Anker Innovations Limited’s website shows that it has an office at 400 108th Avenue NE, Suite 400, Bellevue,

Washington 98004. Prior to November 28, 2017, Anker Innovations Limited was named Anker Technology Co., Limited. Although its name changed on November 28, 2017, its corporate structure and business remained the same. Anker Innovations Limited designed and manufactured the accused products for export and sale throughout the world, including the United States and Delaware. Anker Innovations Limited sold the accused products throughout the United States and Delaware directly or through its subsidiaries.

7. Anker Innovations Limited exercises substantial control over its foregoing subsidiaries' functions, employees and decisions-making processes. Anker Innovations Limited directed, controlled and/or encouraged its subsidiaries to engage in the conduct that is the subject of this Complaint.

8. Anker Innovations Limited is the last listed owner for the Anker and eufy trademarks with the United States Patent and Trademark Office and Anker Technology Co. Limited is the registrant.

9. The foregoing entities operate not as separate corporate entities but as a single enterprise, thereby making Anker Innovations Limited liable for the subsidiaries' conduct. Anker Innovations Limited operates a hierarchical corporate structure wherein it treats its subsidiaries not as separate corporate entities under their own control but as its divisions.

JURISDICTION AND VENUE

10. This action arises under the patent laws of the United States, Title 35 of the United States Code. This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331 and 1338(a).

11. Venue is proper in this district under 28 U.S.C. §§ 1391(c) and 1400(b). On

information and belief, Defendants' Anker Technology Ltd. and Fantasia reside in Delaware, all defendants have operated as an enterprise in Delaware, have transacted business in this district, and have committed and/or induced acts of patent infringement in this district.

12. On information and belief, Defendants are subject to this Court's specific and general personal jurisdiction pursuant to due process and/or Delaware's Long Arm Statute, due at least to its substantial business in this forum, including: (i) at least a portion of the infringements alleged herein; (ii) regularly doing or soliciting business, engaging in other persistent courses of conduct, and/or deriving substantial revenue from goods and services provided to individuals in Delaware and in this Judicial District; and residing in Delaware and in this Judicial District as an enterprise.

COUNT I

Infringement of U.S. Patent No. RE41,685

13. Plaintiff is the owner by assignment of United States Patent No. RE41,685 ("the '685 Patent") titled "Light Source with Non-White and Phosphor-Based White LED Devices and LCD Assembly." The '685 Patent reissued on September 14, 2010. A true and correct copy of the '685 Patent is attached as Exhibit A.

14. Upon information and belief, Defendants directly or through intermediaries and as an enterprise have been and are now infringing the '685 Patent in the State of Delaware, in this judicial district, and elsewhere in the United States, by, making, using, providing, supplying, distributing, selling, and/or offering for sale products (including at least its website at www.anker.com and Amazon's website at www.amazon.com) further including its smart WiFi light bulbs, RGB led smart lights and similar type assemblies, comprising a light source that infringes one or more claims of the '685 Patent and particularly, e.g., claims 10

through 14 of the '685 Patent. The '685 Patent reads on eufy Lumos smart light bulb by Anker as set forth in the exemplary claims chart attached as Exhibit B.

15. Upon information and belief and in view of the foregoing, Defendant has been and is continuing to directly infringe, literally infringe, and/or infringe the '685 Patent under the doctrine of equivalents. Defendant is thus liable for infringement of the '685 Patent pursuant to 35 U.S.C. § 271.

16. As a result of Defendant's infringement of the '685 Patent, Plaintiff has suffered monetary damages and is entitled to a money judgment in an amount adequate to compensate for Defendant's infringement, but in no event less than a reasonable royalty for the use made of the invention by Defendant, together with interest and costs as fixed by the court, and Plaintiff will continue to suffer damages in the future unless Defendant's infringing activities are enjoined by this Court. Unless a permanent injunction is issued enjoining Defendant and its agents, servants, employees, representatives, affiliates, and all others acting on in active concert therewith from infringing the '685 Patent, Plaintiff will be greatly and irreparably harmed.

PRAYER FOR RELIEF

WHEREFORE, Plaintiff respectfully requests that this Court enter:

1. A judgment in favor of Plaintiff that Defendants and each of them have infringed and are infringing the '685 Patent;
2. A permanent injunction enjoining Defendants and each of them and their officers, directors, agents servants, affiliates, employees, divisions, branches, subsidiaries, parents, and all others acting in active concert therewith from infringement, inducing the infringement of, or contributing to the infringement of '685 Patent, or such other equitable relief the Court determines is just and proper;

3. A judgment and order requiring Defendants and each of them pay to Plaintiff its damages, attorneys fees, costs, expenses, and prejudgment and post-judgment interest for Defendant's infringement and willful infringement of the '685 Patent as provided under 35 U.S.C. § 284, and an accounting of ongoing post-judgment infringement; and

4. Any and all other relief, at law or equity, to which Plaintiff may show itself to be entitled.

DEMAND FOR JURY TRIAL

Technical LED, under Rule 38 of the Federal Rules of Civil Procedure, requests a trial by jury of any issues so triable by right.

DATED May __, 2019.

Respectfully submitted,

DUNLAP, BENNETT & LUDWIG, PLLC

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